

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

CARRLIS DEWAYNE REEVES,

Petitioner,

Case Number: 05-70762

v.

JUDGE PAUL D. BORMAN
UNITED STATES DISTRICT COURT

SHIRLEE A. HARRY,

Respondent.

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**OPINION AND ORDER DENYING DEFENDANT CARRLIS DEWAYNE REEVES’
MOTION FOR RECONSIDERATION OF THE COURT’S AUGUST 25, 2006 OPINION
AND ORDER (DOCK. NO. 26)**

Now before the Court is Petitioner Carrlis DeWayne Reeves’ Motion for Reconsideration of the Court’s August 25, 2006 Opinion and Order (Dock. No. 26). Having considered the entire record, and for the reasons that follow, the Court DENIES Petitioner’s Motion for Reconsideration.

The facts of the instant case are set forth in *Reeves v. Harry*, No. 05-70762, 2006 WL 2473465 (E.D. Mich. Aug. 25, 2006) (unpublished), and are not repeated below.

Pursuant to Rule 7.1 (g)(1) of the Local Rules for the Eastern District of Michigan, a motion for rehearing or reconsideration may be filed within ten days after the entry of the decision to which it objects. *See also* FED. R. CIV. P. 59(e) (allowing a party to file a Motion to Alter or Amend Judgment within ten days of entry of the Judgment). Rule 7.1 (g)(3) provides that a motion for reconsideration will be granted if the moving party demonstrates that the court’s order contains “a palpable defect by which the court and parties have been misled,” and that “correcting the defect will result in a different disposition of the case.” A “palpable defect”

is a defect which is obvious, clear, unmistakable, manifest or plain. *Marketing Displays, Inc. v. Traffix Devices, Inc.*, 971 F. Supp. 262, 278 (E.D. Mich. 1997) (internal citation omitted).

The Court finds that Petitioner did not demonstrate that the Court's order contained any palpable defect and thus failed to meet his burden. Additionally, even if the Court agreed with Petitioner and found that there were palpable defects in the August 25, 2006 Opinion and Order, Petitioner has not convinced the Court that correcting the defect would result in the Court granting summary judgment in his favor.

Accordingly, pursuant to L.R. 7.1(g)(3), and for the reasons stated in this Court's August 25, 2006 Opinion and Order, the Court DENIES Petitioner's Motion for Reconsideration.

SO ORDERED.

s/Paul D. Borman
PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Dated: May 25, 2007

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on May 25, 2007.

s/Denise Goodine
Case Manager